

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

LAREDO DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	L-08-347
	§	
FERRELL DAMON SCOTT	§	

GOVERNMENT’S FIRST NOTICE OF INTENT TO OFFER EVIDENCE PURSUANT TO
RULES 404(b) AND 807 OF THE FEDERAL RULES OF CRIMINAL EVIDENCE, AND
RULE 16 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE

TO THE ATTORNEY FOR THE CRIMINAL DEFENDANT:

The United States hereby gives notice in advance of trial of its intent to introduce the following evidence in its case-in chief and/or as impeachment evidence during presentation of the defendant’s case:

On or about September 5, 2007, Defendant, Ferrell Damon Scott (“Defendant”) was pulled over in Georgetown, TX. Defendant was subsequently arrested. Inside his vehicle, the following among other items were found: a small amount of marijuana (.02 ounces) on the front passenger seat; two loaded firearms in the trunk (Defendant is a convicted felon); three cell phones; a piece of paper with Artis Miller’s cell phone number; a print-out of a news story from August 10, 2007 regarding drug seizures in Laredo, TX; and, a hotel receipt in the name of Artis Miller.

While in jail, Defendant made a recorded call to another person in which he essentially told the person that he needed to go back “doing what I do to make money.”

On or about February 2, 1988, Defendant was pulled over in Dallas, TX. Defendant was subsequently arrested. The officer found cocaine in Defendant’s pocket. On March 21, 1988, in the 194th Judicial District Court, Dallas County, Texas, Defendant was convicted of felony unlawful possession of a controlled substance (less than 28 grams), and was sentenced to 10-years probation (Case No. F88-79353-M). The judgment was entered on or about March 21, 1988. On October 13, 1989, Defendant was sentenced to 15-years of confinement after violating his probation.

On or about August 30, 1987, a Dallas Police Officer attempted to stop Defendant, but Defendant evaded arrest. Defendant was subsequently apprehended and arrested. The police officer found the following items: 1.6 grams of marijuana in Defendant’s pocket; 4 small

capsules and 1 rock of cocaine; 63 capsules of cocaine; and a loaded firearm.

On March 21, 1988, in the 194th Judicial District Court, Dallas County, Texas, Defendant was convicted of felony unlawful possession of a controlled substance (less than 28 grams), and was sentenced to 10-years probation (Case No. F87-85750-RM). The judgment was entered on or about March 21, 1988. On October 13, 1989, Defendant was sentenced to 15-years of confinement after violating his probation.

On or about July 29, 1987, Dallas Police Department obtained a search warrant to search a house where it was suspected that cocaine was being sold. The police officers found the following inside the house: 8 small zip lock bags containing crack cocaine; 10 zip lock bags containing cocaine; 58 capsules of heroin; 80 capsules of cocaine; a small piece of tar heroin; 10 grams of marijuana; and two firearms. Defendant was arrested inside the house.

On March 21, 1988, in the 194th Judicial District Court, Dallas County, Texas, Defendant was convicted of felony unlawful possession with intent to deliver a controlled substance, and was sentenced to 10-years probation (Case No. F87-84373-M). The judgment was entered on or about March 21, 1988. On October 13, 1989, Defendant was sentenced to 15-years confinement after violating his probation.

Respectfully Submitted,

DONALD J. DeGABRIELLE, JR.
UNITED STATES ATTORNEY

By:

/s/ Sam S. Sheldon

Sam S. Sheldon

Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Intent to Offer Evidence has been delivered via ECF to Defendant's attorney on this the 12th day of July 2008.

/s/ Sam S. Sheldon
Sam S. Sheldon
Assistant United States Attorney